



**U.S. Department of Justice**

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FOR IMMEDIATE RELEASE  
Tuesday, June 5, 2007

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**PRESS RELEASE**

Colm F. Connolly, United States Attorney for the District of Delaware, and Gregory K. Gant, Special Agent in Charge, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), Baltimore Field Division, announced today that Robert W. Davis, age 32, and David Southern, age 30, were indicted on two counts on Tuesday, June 5, 2007, by a Grand Jury sitting in Wilmington. Count One of the Indictment charges that the defendants conspired to make a straw purchase of a firearm, in violation of Title 18, United States Code, Section 371. The maximum penalty for Count One is five years in jail, a fine of up to \$250,000, three years of supervised release, and a \$100 special assessment. Count Two of the Indictment charges that the defendants made a false statement in acquiring a firearm, that is, that Southern misrepresented that he was acquiring the firearm for his own use when he knew that he was purchasing the gun for someone else, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), and Title 18, United States Code, Section 2. The maximum penalty for Count Two is ten years imprisonment, a fine of up to \$250,000, three years supervised release, and a \$100 special assessment.

The Indictment charges that Davis and Southern entered into an agreement whereby Southern would buy firearms in his name for a third party. According to the Indictment, Southern agreed to buy up to three guns in return for approximately \$250 for each gun. On May 17, 2007, Davis and Southern traveled to the Targetmaster gun store in Chadds Ford, Pennsylvania. The Indictment alleges that Davis gave Southern \$700 to purchase a Kahr .45 caliber pistol, and that Southern misrepresented on an ATF Firearms Transaction Record that he was the actual buyer of the gun. The Indictment further alleges that the two returned to the Brandywine Town Center on Route 202 after the purchase. There, the defendants were arrested by ATF Special Agents and Delaware State Police Officers.

U.S. Attorney Connolly stated that, "Our office takes very seriously the danger posed by straw purchasers, who enable guns to fall into the hands of people prohibited by law from possessing them. Actively investigating these offenses is critical to the goal of reducing gun violence statewide. We commend the ATF, as well as the Delaware State Police and other local law enforcement agencies, who work diligently to keep guns out of the hands of those who are not entitled to possess them. "

ATF Special Agent in Charge Gregory K. Gant of the Baltimore Field Division, which encompasses the Wilmington Field Office, stated, "ATF and our law enforcement partners will not tolerate the criminal act of straw purchasing, and those individuals who put guns in the hands of prohibited persons. Let this be a message to potential offenders that ATF and our state and local partners, like the Delaware State Police, will investigate those individuals who violate federal firearms laws; and we will work with the United States Attorney's Office to prosecute the buyer, and the prohibited person to the fullest extent of the law."

This case was investigated by the ATF and the Delaware State Police. Assistant United States Attorney Robert F. Kravetz is prosecuting the case.

Members of the public are reminded that an indictment is merely an accusation, and the defendant is presumed innocent until and unless proven guilty.

For further information, contact United States Attorney Colm F. Connolly.

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